



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 05 2012

REPLY TO THE ATTENTION OF:

Nathan Guldan
Director
Environmental Program
Forest County Potawatomi Community
P.O. Box 340
Crandon, Wisconsin 54520

Re: Results of consultation on the U.S. Environmental Protection Agency's proposed approval of revisions to Michigan's State Implementation Plan (SIP) relating to the Prevention of Significant Deterioration (PSD) program for permits affecting sources with the potential to impact Class I areas.

Dear Mr. Guldan,

In a February 23, 2012, email letter, the EPA invited the Forest County Potawatomi Community (FCP Community) as well as Michigan tribes to consult with EPA about a proposed rule to approve revisions to Michigan's SIP affecting the implementation of the State of Michigan's PSD program for sources with the potential to affect Class I areas (40 C.F.R. § 51.166(p)). Only the FCP Community responded to this request.

Record of Consultation

The consultation with the FCP Community took place by conference call on March 27, 2012. The FCP Community representatives expressed support for the proposed rule and for EPA's proposal to move forward on its approval. FCP Community representatives were pleased that Michigan had made revisions to its rule language that addressed concerns that had been raised by the Tribe.

During the call, participants discussed ways to address the Tribe's concerns that if the state sends notification and/or draft PSD permits to EPA to forward to the Tribe, that EPA would ensure that these materials would be timely provided to the Tribe for review.

FCP Community representatives further expressed their desire to enter into a Memorandum of Understanding with EPA to work out a process for this transfer of information. EPA agreed to consider such an agreement, and a follow-up call is planned for April 18, 2012, to discuss the outline of such an agreement, for which the Tribe will develop the first draft.

Results of Consultation

EPA plans to move forward with publication of its proposed approval of Michigan's rule revisions into the Michigan SIP during the next month. This includes publication of a proposed rule Federal Register Notice, explaining EPA's intentions regarding approval of revised provisions to Michigan's SIP. The proposed rule making will be subject to a 30 day public comment period.

I would like to thank the FCP Community for sharing its views in the consultation process. If you have any questions or concerns please contact me at 312-886-6789 or Genevieve Damico of my staff, at 312-353-4761.

Sincerely,



George T. Czerniak
Acting Director
Air and Radiation Division